

HOUSE BILL REPORT

HB 2653

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to purchase or sale of human body parts.

Brief Description: Prohibiting purchase or sale of human body parts for research purposes.

Sponsors: Representatives Darneille, Clements, Bailey, Green, Appleton, Orcutt and Hinkle.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/27/06 [DP].

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Makes the buying or selling of a human body part for research purposes a class C felony.
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HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kirby, Strow and Williams.

Staff: Elisabeth Frost (786-5793) and Yvonne Walker (786-7841).

Background:

In 1969 the Legislature passed the Uniform Anatomical Gift Act (UAGA). The UAGA regulates anatomical gifts and in 1993 it was amended to prohibit any person from knowingly purchasing or selling a human body part, if removal of the body part is intended to take place after death, for transplantation or therapy purposes.

Reasonable payment for the removal, processing, disposal, preservation, quality control, storage, transportation, or implantation of a body part, is allowed and expressly exempted from purchasing and selling activities for the purpose of the statute.

Violation of this provision is a class C felony offense punishable by up to \$50,000 in fines or five years imprisonment.

Summary of Bill:

A section of the UAGA is amended to criminalize the knowing purchase or sale of a human body part for research purposes, if removal of the body part is intended to take place after the death of the person.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Near the end of last session a story broke that King County had a practice of shipping brains of deceased persons who had been schizophrenic or bipolar to a research facility, in exchange for about \$8,300 per brain. There has since been a lawsuit filed by family members who do not feel they were properly asked if this was an appropriate use of a body part from their relative. Also, in Pittsburgh there was recently an 84-count indictment filed against their medical examiner on charges that he traded unclaimed bodies in exchange for use of lab space in a university. It's unethical for a member of the profession to have taken this step even if it did mean that the institution was given money for research. We should step up and say it is not legal in our state to sell or use body parts in that way.

Testimony Against: None.

Persons Testifying: Representative Darneille, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.